



March 16, 2023

Via Electronic Submission to FOIAonline.gov

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW (2310A)
Washington, D.C. 20460

Re: Freedom of Information Act Request re Louisiana's Underground Injection Control Program

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and its implementing regulations, Earthjustice ("Requester") seeks the following records listed below.

- All comprehensive Underground Injection Control (UIC) Evaluations for Louisiana since 1984.
- All complaints and records of complaints related to Class II injection wells in Louisiana since January 1, 2000.
- All communications between EPA and Louisiana or Louisiana Department of Natural Resources regarding UIC Program reviews or evaluations since January 1, 2000.

I am submitting this request on behalf of Earthjustice, a non-profit law firm. Earthjustice is seeking the information requested below to educate itself, its membership, and supporters, and intends to share any records disclosed in this request to advance the public interest, particularly Louisianian residents who are potentially impacted by any potential plans to build underground injection wells in their communities.

FEE WAIVER REQUEST

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), I request a waiver of any applicable fees. Disclosure of the requested information is in the public interest because the requested documents concern the operations and activities of the government and will significantly contribute to the public's understanding of EPA's permitting of UIC. Neither Earthjustice nor its clients have any commercial interest in the requested information.

If the U.S. EPA does not waive its fees entirely, Earthjustice alternatively requests that the U.S. EPA reduce the fees to the maximum extent possible.

PRESUMPTION OF DISCLOSURE

We ask that you exercise your discretion to the fullest extent in favor of disclosing records responsive to this FOIA request. If you intend to withhold any responsive information under a FOIA exemption, we request prompt disclosure of all non-exempt information and an explanation of the grounds on which you claim the exemption. If a document contains both exempt and non-exempt information, please provide those portions of the document that are not exempt from disclosure.

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We would be glad to work with you and your staff to identify the documents sought in this letter and to craft a response that efficiently satisfies this request. Please do not hesitate to call should you need clarification.

If for any reason you deny this request, please specify the statutory exemption(s) upon which you rely to withhold information. If you determine that some portions of the requested documents are exempt, please provide me with the remaining nonexempt portions. We reserve the right to appeal any decision to withhold information.

INSTRUCTIONS FOR RECORD DELIVERY

I would appreciate receiving the records in electronic format. Please send them to the following email addresses: jyskamp@earthjustice.org, mcarlos@earthjustice.org, and chuebler@earthjustice.org. If you require sending the records by U.S. Post, then please mail to:

Claire Huebler
Fossil Fuels Program
50 California Street, Suite 500
San Francisco, CA 94111

Should you have any questions regarding, or suggestions for facilitating this request, please contact me at jyskamp@earthjustice.org or (570) 404-0237. I look forward to your response with twenty working days, as required by FOIA 5 U.S.C. § 552(a)(6)(A).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim YB', is positioned above the typed name.

James Yskamp
Senior Attorney